RAJYA SABHA

Tuesday, the 16th August, 2005/25 *Sravana,* 1927 *(Saka)*

The House met at eleven of the clock,

MR. CHAIRMAN *in the chair.* **ORAL**

ANSWERS TO QUESTIONS

*301.[The *question* (Shri S. Anbalagan) was *absent. For answer vide page* 32]

Action against Al officials

*302. SHRI B.K. HARIPRASAD: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Government are aware that two Air India traffic officers were intercepted at the Heathrow Airport at London in early June, 2005 with contraband items from India and deported back to Mumbai on account of their failure to pay up the fine/penalty imposed by the UK Customs;

(b) whether AI has taken appropriate disciplinary action against the errant officials; and

(c) whether Government will ensure that the crew of our flag carriers flying to overseas destinations are constantly drilled to keep away from such unlawful activities?

THE MINISTER OF STATE OF THE MINISTRY OF CIVIL AVIATION (SHRI PRAFUL PATEL): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) Yes, Sir.

(b) Disciplinary action as per the provisions of the Certified Standing Orders is being initiated by Air India Management against the two employees.

(c) Yes, Sir. Air India Management issues circulars from time to time drawing the attention of the employees, particularly the crew, that they should strictly follow the customs regulations and any violation of these rules would attract severe punishment. Moreover, the following regulations/orders are in force to deal with the errant officials:

(i) Air India Employees Regulations, which is applicable to officers & executives, has clauses under misconduct, which relates to breach of Customs Act, FERA, Narcotics Act etc. as well as smuggling, aiding or carrying of goods with object of pecuniary gain.

(ii) Certified Standing Orders which is applicable to workmen categories of staff has clauses under misconduct, which relate to conviction is court of law for any criminal offence as well as smuggling, aiding or carrying goods with object of pecuniary gain.

PROF. P.J. KURIAN: Sir, question number 301 is a very important question. ...*(Interruptions)*...

SHRI B.K. HARIPRASAD: Sir, two Air India Traffic Officers were deported from the Heathrow Airport, London, allegedly for attempting to smuggle 8,400 cartoons of Indian cigarettes worth about Rs. 35,000. It may not be a big amount. But, Sir, the crew of the carriers flying overseas destinations enjoy a certain measure of immunity in formal life. While they arrive home, the Indian Custom office takes a lenient view of their baggage. Sir, taking advantage of this leniency, there have been instances where Indian Airlines and Air India staff were involved in bringing countermand small, personal lots and personal baggage, i would like to know from the hon. Minister, whether Air India has in place any in-house vigilance mechanism to check on-board delinquency by its officers.

SHRI PRAFUL PATEL: Sir, the hon. Member has mentioned about these two cases which happened in London. Just for his information, action will be taken against them. It happened in June.and the U.K. Custom Department is sending us the formal documents. However, with regard to the other issues, specially about the crew coming into India, in the last two years alone, 14 cases have been registered concerning cabin crew for bringing things beyond their permissible limits. In seven cases, people have been punished, and in the balance cases, departmental action is in

progress. On the other issue of what is the system and mechanism about detecting cases of some theft or other issues on board, Sir, Air India has an on-board surveillance programme. Some vigilance people are sent on-board, from time to time, and, at the end of the flight, these vigilance people do try to take stock of the goods on board whether they have been accounted for and are in a prescribed manner. Some cases have been found and action has been taken from time to time.

SHRI B.K. HARIPRASAD: Sir, in my second supplementary I would like to know from the Minister whether Air India and Indian Airlines have, in their service or employment contract, any provision for summary dismissal of the staff from service, if any crew or staff is found guilty in custom violation cases.

SHRI PRAFUL PATEL Sir I am sure, action leading to dismissal also would be a part of the procedure. But, in the interest of natural justice and the prescribed procedure, inquiry and other things are conducted, from time to time, in the prescribed manner. And, if action is warranting a dismissal, even that has been taken; and that has been taken in the past in many cases.

SHRI SANTOSH BAGRODIA: Thank you, Mr. Chairman, Sir. It is a question of mindset of these crew members. Does the Government plan to change their mindset, because they think they can get away with anything? So, unless we take some definite steps, not only disciplinary, but under different Acts also, this mindset will not change. That is one thing. Simultaneously, Sir, there is a wrong information. I think, the word 'FERA has been written. FERA is no more any law in the country. I would like to tell the Minister and his office that there is no FERA in the country anymore. So, where is the scope of FERA?

SHRI PRAFUL PATEL: Sir, I appreciate the concern of the hon. Member that we should improve the mindset; we should condition them to be more vigilant, more loyal to the airline, and to the company for which they work. However, all these exercises also in a way are deterrent for them to do not do these things. But your point is well taken. I will also convey your sentiments to the management of Air India that they should try to inculcate in them a sense of belonging to the airline, and to the country, of course.

On the issue of FERA, Sir, there may have been cases of FERA registered in the past when FERA was applicable; maybe some cases here reflecting an earlier action which may have been contemplated under FERA. But your point is again well taken. Now, there is FEMA instead of FERA. So, in future, I hope, there will be no such cases. Your concern that there may be such cases, I only pray to God that there should not be any more FEMA cases in future.

Post closure adjustment on sale of PSUs

*303 SHRI DIPANKAR MUKHERJEE: Will the Minister of FINANCE be pleased to refer to answer to Unstarred Question 1616 given in the Rajya Sabha on the 16th March, 2003 and state the details of post closure adjustments, made in the case of BALCO, Paradeep Phosphates, HTL, Jessop, ITDC Hotels, Airport Hotels, IPCL, VSNL and other cases of strategic sale of PSUs?

THE MINISTER OF FINANCE (SHRI P. CHIDAMBARAM): A Statement is laid on the Table of the House.

Statement

Post disinvestment matters are handled by the concerned administrative ministries/departments. Details of post closure adjustment in individual cases of disinvestment through strategic sale are given below.

Bharat Aluminium Company Ltd. (BALCO): The post closure adjustment is under consideration of the Ministry of Mines.

Paradeep Phosphates Ltd. (PPL): The post closure adjustment is under consideration of the Department of Fertilizers.

HTL Ltd.: The post closure adjustment is being dealt by the Department of Telecommunications. In accordance with the provisions of the Shareholders' Agreement, the strategic partner invoked the arbitration clause and the matter is already before an Arbitral Panel.

India Tourism Development Corporation Ltd. (ITDC): A statement indicating the position of post closure adjustment in 19 disinvested hotels of ITDC is at Statement I (See below).

Hotel Corporation of India Ltd. (HCI): Post closure adjustment has been completed in respect of Indo Hokke Hotels Limited, a subsidiary